

**UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

VINCENT RODRIGUEZ, individually and)	
on behalf of all others similarly situated,)	
)	Case No. 4:20-cv-03106-JMG-SMB
Plaintiff,)	
v.)	
)	
GC PIZZA LLC d/b/a “Domino’s Pizza,”)	
)	
Defendant.)	

**PLAINTIFF’S RENEWED MOTION FOR (1) CERTIFICATION OF A COLLECTIVE
AND CLASS ACTION FOR SETTLEMENT PURPOSES, (2) APPROVAL OF A
COLLECTIVE ACTION SETTLEMENT, (3) PRELIMINARY APPROVAL OF A
CLASS ACTION SETTLEMENT, (4) APPROVAL OF NOTICE TO PUTATIVE
CLAIMANTS, AND (5) SCHEDULING A HEARING FOR FINAL APPROVAL
OF THE PARTIES’ CLASS ACTION SETTLEMENT AGREEMENT**

Comes now Plaintiff Vincent Rodriguez, by attorneys and moves the Court for (1) final certification of Plaintiff’s Fair Labor Standards Act (“FLSA”) collective action and certification of a Nebraska class action for settlement purposes; (2) approval of the parties’ collective action settlement; (3) preliminary approval of the parties’ class action settlement; (4) approval of notice to the putative claimants; and (5) setting a hearing date for final approval of the parties’ class action Settlement Agreement and Release.

As grounds therefore, Plaintiff states that he has addressed the Court’s concerns expressed in its April 23, 2024 Memorandum and Order about (a) the scope of the release and (b) identification of a settlement administrator. Through an amended Settlement Agreement And General Release (“Settlement Agreement”) the parties have now agreed (a) to limit the FLSA claims to only opt-in plaintiffs and (b) designate CAC Services Group, LLC as the settlement administrator.

As further grounds therefore, Plaintiff incorporates the contemporaneously-filed Memorandum in Support of the Motion.

WHEREFORE, Plaintiff prays the Court to:

- (a) certify a Nebraska class action for purposes of settlement;
- (b) finally certify an FLSA collective action for purposes of settlement;
- (c) preliminarily find that the parties' settlement of the Nebraska class claims appears to be fair, reasonable, and adequate as to members of the collective action class, subject to any objections that may be raised at the final fairness hearing and final approval of the collective action class settlement by this Court;
- (d) find that the parties' settlement of the FLSA claim appears to be fair, reasonable, and adequate as to members of the collective action class,
- (e) grant preliminary approval of the Nebraska class action settlement;
- (f) grant approval of the FLSA collective action settlement;
- (f) approve as to form and content the parties' proposed notice as reasonable notice practicable under the circumstances and in full compliance with applicable law;
- (g) order that each class member be given a full opportunity to file a claim, object to, or opt-out of the Settlement Agreement, and to participate at the final approval hearing;
- (h) schedule a final fairness hearing; and
- (i) award such further relief as the Court deems equitable and just.

Dated: May 10, 2024

Respectfully Submitted,

WEINHAUS & POTASHNICK

/s/ Mark Potashnick

Mark A. Potashnick (MO Bar # 41315)

(admitted *pro hac vice*)

11500 Olive Blvd., Suite 133

St. Louis, Missouri 63141

Telephone: (314) 997-9150

Facsimile: (314) 997-9170

markp@wp-attorneys.com

LEGALSOLVED LLC

Edward “Coach” Weinhaus

(admitted *pro hac vice*)

11500 Olive Blvd., Suite 133

St. Louis, Missouri 63141

(314) 580-9580 (p)

eaweinhaus@gmail.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on May 8, 2024, I served a true and correct copy of the foregoing on all counsel of record via the Court’s electronic case filing system.

/s/ Mark Potashnick